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Applicant(s): Mauro et al.  
Application No.: 10/003,915  
Filed: May 30, 2003  
For: CATAMENIAL DEVICE  
Examiner: Catharine L. Anderson  
Art Unit: 3761  
Confirmation No.: 7768  
Customer No.: 67,519  
Attorney Docket: 460.2115USU

Mail Stop Petition  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Office of Petitions

**PETITION FOR REVIVAL OF PATENT APPLICATION  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Dear Sir:

The above-identified application became abandoned for failure to timely file a **proper reply to the Office communication dated June 26, 2006** which sets a **six (6)** month period for reply. The abandonment date of this application is **April 3, 2007**.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

NOTE: A grantable petition requires the following items:  
(1) Petition fee;  
(2) Reply to the Office communication dated June 26, 2007  
(Appeal Brief);  
(4) Statement that the entire delay was unintentional.

1. Petition fee

\_\_\_ Small entity - fee \$665.00 (37 CFR §1.17(m))

\_\_\_ Small entity statement enclosed herewith.

\_\_\_ Small entity statement previously filed.

**XXX** Other than small entity - fee \$1,540.00 (37 C.F.R. §1.17(m))

2. Reply and/or Fee

A. The reply to the above-noted Office Action in the form of **an Appeal Brief** **filed under 35 U.S.C. §134** (identify type of reply):

\_\_\_ has been filed previously on \_\_\_\_\_.

**XXX** is enclosed herewith.

B. A firm check for \_\_\_\_\_ covering the following fees:

(1) \$ \_\_\_\_\_ Issue Fee

(2) \$ \_\_\_\_\_ for 10 advance copies of the patent; extension fee

(3) \$ 1,540.00 petition fee.

\_\_\_ has been paid previously on \_\_\_\_\_

\_\_\_ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. Verified Statement

Applicant hereby states that the entire delay in payment of the four hundred seventy dollar (\$470) required issue fee from April 14, 2003 until the filing of this petition under 37 CFR 1.137(b) was unintentional.

Applicant hereby declares that all statements made herewith of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**XXX** The Commissioner is hereby authorized to charge the fee of **\$1540.00**, any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or credit any overpayment, to **Deposit Account No. 162-127 in the name of Playtex Products, Inc.** The Commissioner is hereby authorized to charge any additional fees, if needed to Deposit Account No.: 01-0467. A duplicate copy of this Form is enclosed.

October 1, 2007

Date



Charles N.J. Ruggiero

Attorney for Applicant(s)

Registration No. 28,468

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, Connecticut 06901-2682

Telephone: (203) 327-4500

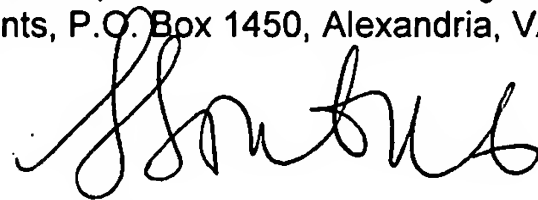
Telefax: (203) 327-6401

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EM104471855US**, service under 37 CFR §1.10 and is addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: Office of Petitions on **October 1, 2007**.

Suzanne Lombardo

(Typed name of person mailing paper)



(Signature of person mailing paper)



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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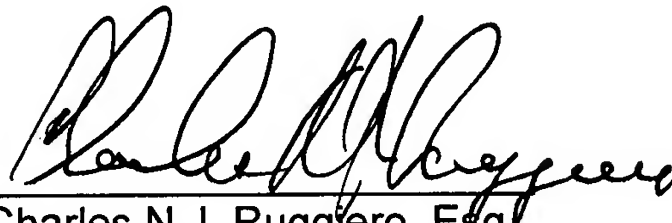
Dear Sir:

Applicants respectfully submit the following petition to revive abandoned U.S. Patent Application Serial No. 10/003,915. A Notice of Abandonment was mailed on April 3, 2007 for failure to timely file a proper reply to the Office letter mailed on June 26, 2006. Applicants respectfully submit that the entire delay in filing the required reply, from the due date for the reply until the filing of the present petition pursuant to 37 CFR 1.137(b), was unintentional.

The Appeal Brief required to reply to the outstanding Notice of Panel Decision from Pre-Appeal Brief Review is attached herein. The appropriate fee set forth in §1.17(m) for filing this petition is also attached.

Respectfully submitted,

Dated: October 1, 2007



Charles N.J. Ruggiero, Esq.  
Registration No. 28,468  
Attorney for Applicants  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> floor  
Stamford, CT 06901-2682  
Tel: (203) 327-4500  
Fax: (203) 327-6401